

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X	:	
AVI COHEN, individually and on	:	
behalf of all others similarly situated,	:	
	:	PARTIES' RULE 26(f) REPORT
<i>Plaintiff,</i>	:	
	:	
v.	:	2:15-cv-03413-AMD-SIL
	:	
SLOMIN'S, INC., a New York	:	
corporation,	:	
	:	
<i>Defendant.</i>	:	
-----X	:	

**STIPULATION OF DISMISSAL WITHOUT PREJUDICE**

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Plaintiff Avi Cohen and Defendant Slomin's, Inc., by and through their undersigned attorneys, hereby stipulate and agree to the dismissal of Plaintiff's and the putative classes' claims without prejudice, and with the Parties to bear their own attorneys' fees, costs, and other expenses related to the litigation.

Respectfully submitted,

**AVI COHEN**, individually and on behalf of all  
others similarly situated,

Dated: July 21, 2017

By: /s/ Benjamin H. Richman  
One of Plaintiff's Attorneys

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**SLOMIN'S, INC.,**

Dated: July 21, 2017

By: /s/ Jonathan R. Chally  
One of Defendant's Attorneys

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**CERTIFICATE OF SERVICE**

I, Benjamin H. Richman, an attorney, hereby certify that on July 21, 2017, I served the above and foregoing ***Stipulation of Dismissal Without Prejudice*** by causing a true and accurate copy of such paper to be filed and served on all counsel of record via the Court's CM/ECF electronic filing system.

/s/ Benjamin H. Richman